

REMARKS

Entry and consideration of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-67 are pending. Claims 1-48, 55, 57, and 61-63 have been withdrawn by Examiner as being drawn to a non-elected invention. Claims 49-54, 56, 58-60 and 64-67 are under examination.

The specification has been amended to remove hyperlink information as requested by Examiner. Entry of the amended specification is respectfully requested.

Claims 53-54, 58-60 have been amended to include an alteration in the composition claimed per Examiner's suggestion. Claim 56 has been amended so as it is dependent on the proper claim. Entry of the amended claims is respectfully requested.

The disclosure stands objected to because it contains an embedded hyperlink. The hyperlinks have been deleted from the specification. Withdrawal of the objection is respectfully requested.

Claims 53-54 and 58-60 stand objected to as allegedly of improper dependent form for failing to limit the subject matter of a previous claim. These claims have been amended per Examiner's kind suggestion. Withdrawal of the objection is respectfully requested.

Claims 64-67 stand rejected under 35 USC §112, first paragraph as allegedly containing subject matter which was

not described due to lack of deposit information.

Applicants request that this rejection be held in abeyance until claims are allowed at which time the proper deposit will be made.

Claims 56 and 58 stand rejected under 35 USC §112, second paragraph as allegedly indefinite. Claim 56 has been amended and is now dependent on a claim for a *B. pseudomallei* strain. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 49-54, 56, and 58-60 stand rejected under 35 USC §102(b) as allegedly anticipated by DeShazer et al. This rejection is traversed in view of the following.

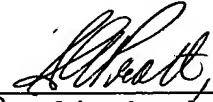

The claimed invention is for a mutant *B. mallei* strain devoid of BmaI3 activity, and a vaccine comprising such a strain. To be anticipated under §102, a claim must literally read on a single prior art reference. The reference must contain within the four corners thereof all of the elements and features of the claimed invention. The reference does not contain nor describe the subject matter claimed nor a method for making it. No mention of BmaI3 nor a method of making a *B. mallei* strain with a mutation in BmaI3 is described in DeShazer et al.

Therefore, since the reference does not contain or describe the claimed invention, withdrawal of the rejection is respectfully requested.

In re Application of: Ulrich et al.
Serial no. 10/620,242

All objections and rejections have been addressed.
This application is in condition for allowance and Notice
to that effect is respectfully solicited.

Respectfully submitted,

By  Reg No 39,441
 Elizabeth Arwine
Reg. No. 45,867

U.S. A. MPMC
504 Scott Street
Fort Detrick, MD 21702-5012
ATTN: MCMR -JA (Elizabeth Arwine-Patent Atty)

I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as first class
mail in an envelope addressed to: Mail Stop: Amendment, Commissioner
for Patents, P. O. Box 1450, Alexandria, Virginia, on December 18,
2006.

By 
Sana A. Pratt